

ASSEMBLY, No. 2014

STATE OF NEW JERSEY

218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Assemblyman CRAIG J. COUGHLIN

District 19 (Middlesex)

Assemblyman GARY S. SCHAER

District 36 (Bergen and Passaic)

Assemblyman TIM EUSTACE

District 38 (Bergen and Passaic)

Assemblywoman JOANN DOWNEY

District 11 (Monmouth)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

Assemblyman JOHN F. MCKEON

District 27 (Essex and Morris)

Assemblywoman MILA M. JASEY

District 27 (Essex and Morris)

Assemblyman NICHOLAS CHIARAVALLOTI

District 31 (Hudson)

Assemblywoman SHAVONDA E. SUMTER

District 35 (Bergen and Passaic)

Co-Sponsored by:

Assemblywomen Caride, Pintor Marin, Assemblyman Houghtaling,

Assemblywoman Pinkin, Assemblyman Gusciora, Assemblywoman

Jimenez, Assemblyman Holley, Assemblywoman Jones, Assemblyman

Barclay, Assemblywomen McKnight and Murphy

SYNOPSIS

Automatically registers or updates voter registration as part of driver's license application or renewal.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

(Sponsorship Updated As Of: 4/6/2018)

1 AN ACT concerning voter registration and amending and
2 supplementing P.L.1994, c.182.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 23 of P.L.1994, c.182 (C.39:3-10m) is amended to
8 read as follows:

9 23. Notwithstanding any law, rule or regulation to the contrary,
10 each applicant for a State motor vehicle driver's license application,
11 including any application for a renewal thereof, submitted to an
12 agent of the **Division of Motor Vehicles in the Department of Law**
13 **and Public Safety** New Jersey Motor Vehicle Commission shall be
14 offered an opportunity to **register to vote** decline the automatic
15 voter registration pursuant to section 3 of P.L. , c. (C.)
16 (pending before the Legislature as this bill).
17 (cf: P.L.1994, c.182, s.23)

18

19 2. Section 24 of P.L.1994, c.182, (C.39:2-3.2) is amended to
20 read as follows:

21 24. a. The Secretary of State, with the assistance **and**
22 **concurrence** of the **Director of the Division of Motor Vehicles**
23 Chief Administrator of the New Jersey Motor Vehicle Commission,
24 shall **formulate a means of permitting** provide for a person to
25 simultaneously apply for a motor vehicle driver's license and **to**
26 automatically register to vote which satisfies both the requirements
27 necessary to receive a license to operate a motor vehicle, pursuant
28 to R.S.39:3-10, and to be permitted to register to vote, pursuant to
29 R.S.19:4-1.

30 The **Division of Motor Vehicles** New Jersey Motor Vehicle
31 Commission, upon receipt of a completed voter registration
32 application under this section, shall stamp or otherwise mark the
33 lower right hand corner of the document with the date on which it
34 was so received and forward the physical or electronic document to
35 the Secretary of State no later than the 10th day following the date
36 of acceptance.

37 b. Each application for voter registration which is received by
38 the **Division of Motor Vehicles** New Jersey Motor Vehicle
39 Commission shall be considered and processed as the replacement
40 for any pre-existing voter registration of the applicant.

41 c. Each change of address notification submitted to the
42 **Director of the Division of Motor Vehicles** Chief Administrator
43 of the New Jersey Motor Vehicle Commission for the purpose of
44 maintaining current information on a person's motor vehicle license

EXPLANATION – Matter enclosed in bold-faced brackets **thus** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 shall be reported to the Secretary of State no later than the 10th day
2 following its receipt by the **【Division of Motor Vehicles】**
3 commission and shall serve as notification for the change of address
4 process, unless the registrant declines the automatic voter
5 registration pursuant to section 3 of P.L. , c. (C.) (pending
6 before the Legislature as this bill) and indicates that the change of
7 address is not for voter registration purposes. A change of address
8 notification submitted to the commission, which is used for voter
9 registration purposes, shall be subject to the provisions of section 1
10 of P.L.1994, c.148 (C.19:31-3.2) if the person submitting the
11 change of address notification previously registered to vote in
12 accordance with that section.
13 (cf: P.L.1994, c.182, s.24)
14

15 3. (New section) a. The New Jersey Motor Vehicle
16 Commission shall automatically register to vote any person who
17 applies for a special learner's permit, an examination permit, a
18 probationary driver's license, a basic driver's license, or a nondriver
19 identification card issued pursuant to P.L.1980, c.47 (C.39:3-29.3 et
20 seq.), or for renewal of any license or identification card, according
21 to the permanent address provided by the applicant, unless the
22 applicant specifically declines the automatic voter registration.

23 b. The Chief Administrator shall forward the personal
24 information required to register to vote pursuant to subsection a. of
25 this section in an electronic format to the Division of Elections in
26 the Department of State. The applicant's submission of an
27 application shall serve as an indication that the applicant will
28 register to vote and be affiliated with the permanent address
29 provided by the applicant, and that the applicant is authorizing the
30 Chief Administrator to forward to the Division of Elections the
31 necessary information for the voter registration. The Chief
32 Administrator shall notify the applicant on the application that
33 submission of the application shall serve as consent to be registered
34 to vote at the permanent address provided by the applicant, unless
35 the applicant specifically declines the automatic voter registration.

36 c. The Chief Administrator shall provide for the following
37 statement:

38 "By submitting this application, I am consenting to registering to
39 vote in the State of New Jersey and I am swearing or affirming that:

40 I understand that I must be a U.S. citizen to vote in the State of
41 New Jersey.

42 I understand that I must be at least 18 years old on or before the
43 day of the next election to vote in that election.

44 I understand that I must have resided in the State and county at
45 least 30 days before the next election to vote in that election.

46 I live at the address provided on the application.

47 I am not on parole, probation, or serving a sentence due to a
48 conviction for an indictable offense under any federal or State laws.

1 I UNDERSTAND THAT WILLFULLY VOTING OR
2 ATTEMPTING TO VOTE KNOWING THAT I AM NOT
3 ENTITLED TO VOTE MAY SUBJECT ME TO A FINE OF UP
4 TO \$15,000, IMPRISONMENT UP TO FIVE YEARS, OR BOTH,
5 PURSUANT TO R.S.19:34-11 OR R.S.19:34-12.”

6 A separate statement shall be printed on the application for a
7 special learner’s permit, an examination permit, a probationary
8 driver’s license, a basic driver’s license, or a nondriver
9 identification card, in bold-faced capital letters, notifying the
10 applicant that victims of domestic violence or stalking may decline
11 the automatic voter registration and register to vote without
12 disclosing the applicant’s street address pursuant to section 1 of
13 P.L.1994, c.148 (C.19:31-3.2).

14 d. If a person who is not entitled to vote becomes registered to
15 vote pursuant to this section and votes or attempts to vote in an
16 election held after the effective date of the person’s registration
17 under this section, then the person shall be presumed to have acted
18 with official authorization and shall not be guilty of fraudulently
19 voting or attempting to fraudulently vote pursuant to R.S.19:34-11
20 or R.S.19:34-12, respectively, unless the person willfully votes or
21 attempts to vote knowing he is not entitled to vote.

22
23 4. This act shall take effect on the first day of the seventh
24 month next following the date of enactment, but the Chief
25 Administrator may take such anticipatory administrative action in
26 advance thereof as shall be necessary for the implementation of this
27 act.

28
29

30 STATEMENT

31

32 This bill requires the New Jersey Motor Vehicle Commission
33 (MVC) to automatically register to vote or automatically update a
34 person’s voter registration as part of the process of applying for or
35 renewing a driver’s license.

36 Under current law, each applicant for a driver’s license or
37 renewal of an existing license is offered an opportunity to
38 simultaneously register to vote. The bill provides that the MVC
39 would automatically register to vote any person who applies for a
40 special learner’s permit, examination permit, probationary driver’s
41 license, basic driver’s license, or nondriver identification card, or
42 for renewal of any license or identification card, according to the
43 permanent address provided by the applicant, unless the applicant
44 specifically declines the automatic voter registration.

45 The chief administrator of the MVC would forward the personal
46 information required to register to vote to the Division of Elections
47 in the Department of State in an electronic format. Submission of an
48 application would serve as consent to be registered to vote at the

1 permanent address provided by the applicant, unless the applicant
2 specifically declines the automatic registration.

3 The bill requires the chief administrator to provide for a
4 statement to be printed on the application for a special learner's
5 permit, an examination permit, a provisional driver's license, a
6 basic driver's license, or a nondriver identification card informing
7 the applicant that by submitting the application, the applicant is
8 consenting to register to vote and is legally permitted to vote. A
9 separate statement must be printed on the application, in bold-faced
10 capital letters, notifying the applicant that victims of domestic
11 violence or stalking may decline the automatic voter registration
12 and register to vote without disclosing the applicant's street
13 address.

14 The bill provides that a person who is not entitled to vote that
15 becomes registered through the automatic registration provided for
16 in the bill will not be guilty of fraudulently voting or attempting to
17 fraudulently vote so long as the person does not willfully vote or
18 attempt to vote knowing he is not entitled to vote.

19 The bill requires the Chief Administrator of the Motor Vehicle
20 Commission to provide for the following statement:

21 "By submitting this application, I am consenting to registering to
22 vote in the State of New Jersey and I am swearing or affirming that:
23 I understand that I must be a U.S. citizen to vote in the State of New
24 Jersey.

25 I understand that I must be at least 18 years old on or before the
26 day of the next election to vote in that election.

27 I understand that I must have resided in the State and county at
28 least 30 days before the next election to vote in that election.

29 I live at the address provided on the application.

30 I am not on parole, probation, or serving a sentence due to a
31 conviction for an indictable offense under any federal or State laws.

32 I UNDERSTAND THAT WILLFULLY VOTING OR
33 ATTEMPTING TO VOTE KNOWING THAT I AM NOT
34 ENTITLED TO VOTE MAY SUBJECT ME TO A FINE OF UP
35 TO \$15,000, IMPRISONMENT UP TO FIVE YEARS, OR BOTH,
36 PURSUANT TO R.S.19:34-11 OR R.S.19:34-12."